

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

FILED
COURT -1 AM 11:03
DEVERLY FRANK
CLERK OF SUPERIOR COURT
YUMA, ARIZONA 86364

In the Matter of:

] Administrative Order

] No. 99-24

] THE ASSIGNMENT OF SUPERIOR COURT
] ADULT PROBATION OFFICERS TO SUPERVISE
] JUSTICE COURT AND MUNICIPAL COURT
] DOMESTIC VIOLENCE REPEAT OFFENDERS
]

Beginning January 1, 1999, domestic violence offenders convicted within a period of sixty months of a second domestic violence offense may be placed on supervised probation for up to twelve months and may be incarcerated as a condition of probation, Pursuant to A.R.S. §13-3601.01 (B).

The Yuma County Superior Court Adult Probation Departments has received funding from the State Legislature to supervise repeat domestic violence offenders and has Probation Officers capable of providing supervision to such offenders.

As Presiding Judge of the Superior Court in Yuma County, I have the administrative authority, and I have determined that it is appropriate, to establish a uniform procedure for the supervision of repeat domestic violence offenders placed on probation by the courts of limited jurisdiction in Yuma County.

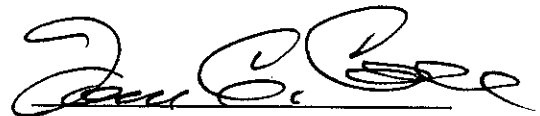
IT IS THEREFORE ORDERED that:

1. The limited jurisdiction courts in Yuma County may request assignment of Adult Probation Officers to supervise only repeat domestic violence offenders who are convicted of second domestic violence offenses after January 1, 1999.
2. When a limited jurisdiction court orders supervised probation of a repeat domestic violence offender pursuant to A.R.S. §13-3601.01 (B), the court shall forward a copy of the order to the Yuma County Superior Court Adult Probation Department for purposes of opening the supervision of the case in the manner agreed to between the limited jurisdiction court and the Probation Department.
3. Domestic violence offenders who are placed on supervised probation shall be required to

pay a \$40.00 per month supervision fee pursuant to A.R.S. §13-901 (A). The collection procedure may be accomplished by intergovernmental agreements with municipal governments, Justice Courts, and the Clerk of the Court.

4. When ordering supervised probation of a repeat domestic violence offender of up to twelve months, the limited jurisdiction court shall utilize the Special Regulations for Domestic Violence Probationers form that has been developed by the Yuma County Superior Court Adult Probation Department for this purpose. When revocation of probation is sought, the Adult Probation Department and the limited jurisdiction court shall utilize the standard Petition to Revoke forms. Copies of the forms are attached to this Administrative Order. These forms may be modified from time to time, as approved by the Presiding Judge.
5. Repeat domestic violence offenders who have been placed on supervised probation by the limited jurisdiction courts may be arrested by the supervising Adult Probation Officer(s) without a warrant for violation of the terms of the probation.
6. In the event that the Superior Court Adult Probation Department is unable to provide supervision in the future for additional domestic violence cases due to the depletion or cessation of funding for this purpose, the Probation Department shall immediately notify the limited jurisdiction courts when the supervision of additional cases is no longer possible.

DATED this 31st day of August 1999.
20


Tom C. Cole, Presiding Judge

Copies to:

Hon. Philip L. Hall, Associate Presiding Judge
Hon. Kirby Kongable, Presiding Judge, Juvenile Court
Hon. Thomas A. Thode
Hon. John N. Nelson
Hon. John P. Plante
Hon. Richard W. Donato, Justice of Peace, Precinct 1
Hon. Manuel Figueroa, Justice of Peace, Precinct 2
Hon. J. K. Milam, Justice of Peace, Precinct 3
Hon. Douglas S. Stanley, Judge, City of Yuma Municipal Court
Hon. Rosendo Morales, Jr., Judge, City of San Luis Municipal Court
Beverly Frame, Clerk of the Superior Court
Martin J. Krizay, Acting Court Administrator and Chief Adult Probation Officer

Ben Rowe, Justice Court Administrator
David Byers, Director, Administrative Services Division, AOC

JUSTICE COURT # _____
168 S. 2nd Ave., Yuma, AZ 85364 (520) 329-2180
350 S. Main St., Somerton, AZ 85350 (520) 627-2722
102 Dome St., Wellton, AZ 85356 (520) 785-3321

MUNICIPAL COURT
1515 S. 2nd Avenue, Yuma, AZ 85364 (520) 783-3381
23222 S. 1st St., San Luis, AZ 85349 (520) 627-2020

STATE OF ARIZONA Defendant	DOCKET NO. 	ORDER SUSPENDING SENTENCE AND IMPOSING CONDITIONS OF PROBATION
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On the _____ day of _____, the Court suspended imposition of sentence for _____ years/months and placed the defendant on _____ Unsupervised, _____ Supervised, _____ Intensive Probation under the supervision of the Yuma County Adult Probation Department, for the offense[s] of _____

IT IS ORDERED the defendant will comply with all the standard conditions and those special conditions indicated.

STANDARD CONDITIONS: The defendant shall:

1. Obey all laws. Contact probation officer within 72 hours if questioned or arrested by any law enforcement officer.
2. Report once a month in person to the probation officer, or as directed. Submit a written report each month.
3. Not change your place of residence, leave the County of Yuma or the State of Arizona without prior approval of the probation officer.
4. If employed or going to school, maintain full-time employment or school status, or a combination of both, and inform the probation officer of any changes within 72 hours. If instructed to, provide verification of status.
5. Submit to search and seizure of your person, property, vehicle, residence, or any other place within your control at anytime without a search warrant, by any probation officer.
6. Not knowingly associate with any person who is violating the law, who has a criminal record, or who is on probation or parole.
7. Not possess, control, or own any firearm, ammunition, explosive, deadly weapon, or prohibited weapon. (A.R.S. 13-3101)
8. Not drink alcoholic beverages.
9. Not possess or use any controlled substances, dangerous drugs, narcotics or prescription drugs, except those prescribed by a physician/dentist. Submit to drug and/or alcohol testing as directed by the probation officer.
10. Participate in and successfully complete any substance abuse, medical, psychological, vocational, educational program, or any program of assistance as directed by the probation officer. Allow provider to release progress information to the Court or the Probation Department.
11. Be placed on Probation Financial Program and abide by all program rules, if any Court-ordered assessment becomes 60-days delinquent.
12. Waive extradition to the State of Arizona, County of Yuma from any state or territory of the United States or from the District of Columbia. You will not contest any effort to return to the State of Arizona, County of Arizona, City of Yuma.

ORDERED BY THE COURT on _____.

RECEIPT AND ACKNOWLEDGMENT: I have received a copy of the conditions of probation, which I understand and with which I will comply. I understand that if I violate any of the above conditions, the Court could revoke my probation and sentence me to the maximum sentence permitted by law.

DATE: _____

DEFENDANT: _____

SPECIAL CONDITIONS: The defendant shall:

13. Pay to the _____ Justice/Municipal Court Clerk of Court as directed:

	Total	Minimum Monthly	Beginning Date	
(a) Restitution	_____	_____	_____	
(b) Probation Fee	_____	_____	_____	
(c) Fine _____ + _____ %	_____	_____	_____	
(d) Reimbursement	_____	_____	_____	
(e) Attorney Fees	_____	_____	_____	
(f) Mandatory Assessments	_____	_____	_____	
(g) Miscellaneous Assessment	_____	_____	_____	
13-812	13-813	36-2219	12-116	13-811(c)
\$100.00	\$10.00	\$75.00	\$20.00	ADREA

14. Be incarcerated in the Yuma County Adult Detention Facility for _____ days/months, beginning on _____ and report to Probation Department within 72 hours of release.

☐ Credit for _____ days served ☐ Two-for-one credit
☐ Work Furlough ☐ Electronic Monitoring
☐ _____

15. Perform _____ hours of community service at the rate of not less than _____ hours a month.

16. Have no contact with the victim[s] whatsoever unless approved by the probation officer. Name[s] of victim[s] _____.

17. Not remain in or return to the United States as an illegal alien. All conditions of probation except condition #4, #13, _____ are suspended while the defendant remains outside the United States.

18. Abide by the following Special Regulations of Probation checked below:

☐ a. Domestic Violence ☐ c. Mental Health
☐ b. Gang ☐ d. Sex Offender

19. Additional special conditions: _____

Justice/Municipal Court Judge

THE YUMA COUNTY ADULT PROBATION DEPARTMENT

SPECIAL REGULATIONS OF PROBATION FOR DOMESTIC VIOLENCE PROBATIONERS

Defendant: _____ Case No.: _____

1. Do not initiate or maintain telephone contact, correspondence, personal or third party contact with the victim without prior written approval of the Court or probation officer.
2. Do not enter into the premises, travel past or loiter near where the victim resides or work.
3. Avoid all contact with the victim's family unless approved by probation officer.
4. Abide by all Court restrictions, orders of protection, directives, divorce decree and/or visitation conditions.
5. Actively participate in and successfully complete domestic violence counseling as directed by the probation officer.
6. Abide by all treatment program rules, conditions and requirements, including payment of any fee.
7. Authorize the treatment provider to disclose to the Court and probation department information about your attendance and progress in treatment.
8. Immediately report any unapproved contact initiated by the victim to the probation officer and immediately report the service of any Court documents, divorce and/or visitation conditions of probation officer.
9. Not possess counter surveillance devices such as scanners or pagers except under circumstances approved in advance and in writing by the probation officer.
10. _____

Date

Probation Officer

Acknowledgment: I have read the above and/or had the above explained to me and fully understand the above regulations and my responsibility to comply fully with these regulation. I understand that the Court could revoke my probation and sentence me to the maximum sentence permitted by law if I violate any of the above regulations.

Date

Defendant

White copy: Clerk's Office
Yellow copy: Probationer's File
Pink copy: Probationers
(Revised 01-07-99)

NAME: ♦
CASE NO.: ♦
COURT: ♦

APPROPRIATE EVIDENCE

A *Petition* to Revoke; Order for ♦, was submitted alleging the probationer violated the conditions of probation in the *Petition*. In reference to those violations alleged, the following evidence items are available:

Condition # ♦:

A.

White Copy: Incident Entry Probation File
Pink Copy: Defense Counsel
Blue Copy: County Attorney

Sent. Div.: *
Def. in Custody: *
Release: *
by Probation Department

THE SUPERIOR COURT OF ARIZONA YUMA COUNTY

THE STATE OF ARIZONA)

vs.)

*,)

DOB: *)

Case Number: *

Court: *

PETITION TO REVOKE PROBATION; ORDER FOR WARRANT OR SUMMONS

The above-named defendant was formally adjudged guilty of the crime of * and was placed on * probation by this Court's judgment and order dated the * day of *, 19*, the period of probation being * from said date.

This Officer is informed and has reason to believe that the defendant has violated the conditions or regulations as follows:

*

Dated this ____ day of *, 199*.

*

Probation Officer

ORDER

[] IT IS ORDERED directing the issuance of a Bench Warrant for the arrest of the defendant.

[] IT IS ORDERED that a Summons be issued ordering the appearance of the defendant to the ____ Court, ____, ____, Arizona, on ____ (date) a ____ (time). If the defendant fails to appear as ordered, an arrest warrant will be issued.

Dated this ____ day of *, 199*.

Judge of the Superior Court

White Copy: Clerk of Court
Pink Copy: Defense Counsel
Blue Copy: County Attorney

Yellow Copy: Probation File
Green Copy: Defendant
Goldenrod Copy: Sheriff's Office

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10/1/99